

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: January 31, 1996

SUBJECT: **HB 1965 - SB 2284**

This bill, if enacted, will exempt van type vehicles used only to transport students to and from school-related activities from all federal standards, guidelines or recommendations.

Currently, van type vehicles are classified as follows:

- Multipurpose Passenger Vehicles - MPVs contain nine or less pupil seating accommodations and are manufactured to comply with those Federal Motor Vehicle Safety Standards (FMVSS) that are applicable to Multipurpose Passenger Vehicles. **They are not school buses.**
- Van Conversions - contain 11 or more seating accommodations, including the driver, and are manufactured to comply with those Federal Motor Vehicle Safety Standards (FMVSS) applicable to the manufacturer of school buses. **They are school buses and require certification as such.**
- Charter Vehicles - privately owned *infrequently used* vehicles that are not subject to the *construction* standards (FMVSS) and *certification* requirements imposed at the *state and federal* level on the manufacturers and users of **school bus** defined vehicles.

The fiscal impact from enactment of this bill is estimated to be twofold. Since van type vehicles could be used to transport students to and from school-related activities rather than using regulation school buses for this purpose, it is estimated that local government

expenditures will decrease. However, even though local school systems would realize a cost savings initially from the use of such vans in lieu of using more expensive school buses, the potential liability to the local school systems from the operation of such vehicles which no longer are required to meet Federal Motor Vehicle Safety Standards could result in an increase in local government expenditures due to the cost of defending lawsuits arising out of accidents involving such van type vehicles and the cost of such settlements which may be awarded because of such lawsuits. Such increase in local government expenditures cannot be determined but is estimated to exceed \$100,000 in the long run.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director